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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/966,023	09/28/2001	Ian Ross	9084.00	4656
26889	7590	05/06/2008		
MICHAEL CHAN NCR CORPORATION 1700 SOUTH PATTERSON BLVD DAYTON, OH 45479-0001			EXAMINER APPLE, KIRSTEN SACHWITZ	
			ART UNIT 3694	PAPER NUMBER
			MAIL DATE 05/06/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

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**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Application Number: 09/966,023  
Filing Date: September 28, 2001  
Appellant(s): ROSS, IAN

**MAILED**

**MAY 06 2008**

**GROUP 3600**

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Ian Ross  
For Appellant

**EXAMINER'S ANSWER**

This is in response to the appeal brief filed July 30, 2007 appealing from the Office action mailed Feb 23, 2007.

**(1) Real Party in Interest**

A statement identifying by name the real party in interest is contained in the brief.

**(2) Related Appeals and Interferences**

The examiner is not aware of any related appeals, interferences, or judicial proceedings that will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

**(3) Status of Claims**

The statement of the status of claims contained in the brief is correct.

**(4) Status of Amendments After Final**

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

**(5) Summary of Claimed Subject Matter**

The summary of claimed subject matter contained in the brief is correct.

**(6) Grounds of Rejection to be Reviewed on Appeal**

The appellant's statement of the grounds of rejection is correct.

**(7) Claims Appendix**

The copy of the appealed claims contained in the Appendix to the brief is correct.

**(8) Evidence Relied Upon**

The following is a listing of the evidence (e.g., patents, publications, Official Notice, and admitted prior art) relied upon in the rejection of claims under appeal.

Slater, US 6,615,190, 2 September 2003

**(9) Grounds of Rejection**

The following ground(s) of rejection are applicable to the appealed claims.

**DETAILED ACTION**

***Response to Arguments***

***Claim Rejections - 35 USC § 102***

The Examiner has read and reviewed all of the information provided by the Applicant. The examiner rejects as final claims 1-2, 9-14 & 18-26 under 35 USC 102.

The Applicant attention is re-drawn to the following:

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Slater, US Patent 6,615,190.

**Re claim 1:** Slater discloses:

*A method, comprising:*

*Maintaining a financial account for the organization (see Slater, Figure 1, item 12-16, note the examiner is interpreting the "sponsor" as the organization)*

*Maintaining a financial account for an individual of the organization (see Slater, Figure 1, item 20-24)*

*Allowing a sponsor and/or the organization to establish rules governing use of the financial account by the individual (see Slater, Figure 1, item 16 a specific example)*

*is column 3 line 8-15 also Figure 1, Item 22, the examiner is interpreting "as direct" to be a "rule" the directions are rules that must be followed in this particular case of the rule it is an amount of cash to be available by the cardholder ); and*

*When a transaction is requested by the individual at the self-service terminal (See Slater, Column 2, line 34 "ATM") located on the premises used by the organization, examining the rules and fulfilling the transaction (see Slater, Figure 1, Item 32 "accesses funds" in addition see column 2, line 16-18 "stored value cards are equally applicable to other cards and card accounts" and column 2, line 34-36 "known manner of withdrawal eg ATM, POS and transfers." For this description it is clear to the examiner that a user can take their card to a POS and the "rules" will be verified, in this case checking to see if there is enough value on the card to fulfill the transaction).*

**Re claim 2:** Slater discloses:

*Offering the individual products and/or services provided by the organization (see Slater, column 2, line 35 "POS purchases" it is inherent in this example that all of these items would be done on the premises of the sponsor/organization, in this case the university.)*

**Re claim 10 & 13:** Slater discloses:

*Terminal or ATM is location in premises used by the organization (see Slater, column 2, line 34-35 "ATM" it is inherent in this example that all of these items would be done on the premises of the sponsor/organization, in this case the university.)*

**Re claim 11 & 14:** Slater discloses:

*Terminal or ATM comprising:*

*Means for allowing individuals to purchase products and/or services offered by the organization to individuals under its supervision. ((see Slater, column 2, line 34-35 "ATM" it is inherent in this example that all of these items would be done on the premises of the sponsor/organization, in this case the university.)*

**Re claim 9 & 12:** Slater discloses:

*A financial transaction system or ATM (see Salter, Figure 2, item 160) comprising:*

*A self-service terminal in communication with a transaction host (see Salter, Figure 2, item 160)*

*Means for maintaining a financial account for an individual under the supervision of the organization (see Salter, Figure 2, item 120)*

*Means for allowing rules (see Salter, Figure 2, item 130)*

*Means for fulfilling transactions (see Salter, Figure 2, item 160)*

**Re claim 15:** Slater discloses:

*A method of administering financial accounts*

*Providing an account (see Salter, Figure 2, item 154)*

*Allowing the individual sponsor to control the account (see Salter, Figure 2, item 130)*

*Allowing the individual to purchase products and/or services offered by the organization using the financial account (see Salter, Figure 2, item 160); and*

*Providing the organization with a fee associated with purchases made using the account (see Salter, Paragraph 0004, line 4-5)*

**Re claim 16:** Slater discloses:

*Fee is levied on a per purchase basis (see Salter, Paragraph 0004, line 5, "based on number of transactions")*

**Re claim 17:** Slater discloses:

*Fee is charged for a predetermined time period (see Salter, Paragraph 0004, line 4, "charge monthly service fee")*

**Re claim 18, 19 & 20:** Slater discloses:

*Rules limit time-of-day when specific transactions are allowed (see Slater column 2, line 29-30 at "periodic intervals")*

**Re claim 21, 22 & 23:** Slater discloses:

*Non-authorized message is displayed if the requested transaction fails to comply with a rule (see Slater, column 4, line 33-36 "if transmission rejected".)*

**(10) Response to Argument**

**Argument for Independent Claim 1 and its Dependent Claims 2-14**

Appellant main argues throughout the 50 page appeal brief is that is that the independent "rules" of the prior art Slater of "government regulations" (first element) and electronic fund transfers (second element) are not the same rule and therefore are an improper rejection.

The examiner refutes this argument and clearly shows that Slater does contain these elements. The examiner maintains her Slater rejection and has further clarified the rejection to include additional citations in Salter to show where the "rules" are established and examined. Below the modified rejection can be reviewed.

*Allowing a sponsor and/or the organization to establish rules governing use of the financial account by the individual (see Slater, Figure 1, item 16 a specific example is column 3 line 8-15 also Figure 1, Item 22, the examiner is*

*interpreting "as direct" to be a "rule" the directions are rules that must be followed in this particular case of the rule it is an amount of cash to be available by the cardholder); and*

*When a transaction is requested by the individual at the self-service terminal (See Slater, Column 2, line 34 "ATM") located on the premises used by the organization, examining the rules and fulfilling the transaction (see Slater, Figure 1, Item 32 "accesses funds" in addition see column 2, line 16-18 "stored value cards are equally applicable to other cards and card accounts" and column 2, line 34-36 "known manner of withdrawal eg ATM, POS and transfers." For this description it is clear to the examiner that a user can take their card to a POS and the "rules" will be verified, in this case checking to see if there is enough value on the card to fulfill the transaction).*

The examiner believes that Slater is a solid example however, the examiner believes if allowed Claim 1 could read on almost all credit and debit card patents and existing processes in operations. The principal theory behind all credit cards is that when you go to an ATM or POS there are "rules" that are checked before issuing cash or merchandise. These rule include "is there enough credit or cash", "is this a stolen card", "is this card valid", "does it match the address on record" etc.

All other arguments in regard to independent claim are mute in regards to clarified rejection of Slater above.

All other claims are rejected as they are dependent on independent claims.

**(11) Related Proceeding(s) Appendix**

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained:

Respectfully submitted,

Kirsten Sachwitz Apple  
Assistant Examiner



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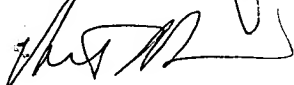
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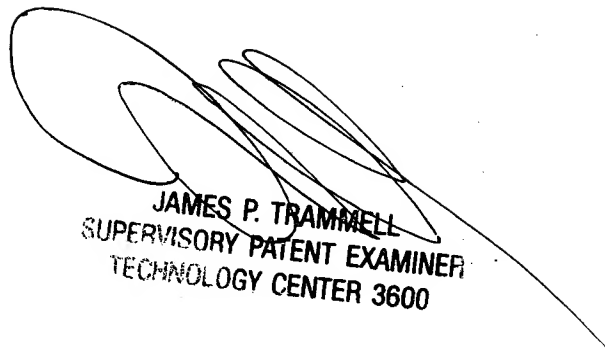
Conferees:

James Kramer, SPE

Vincent Millin, Appeals Conference Specialist

 3/3/08



  
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